

REMARKS**I. General**

Claims 1-3 are pending in the present application. New claims 4-15 have been added by the present Amendment. Accordingly, claims 1-15 will be pending after entry of the present Amendment.

Claims 1-3 stand rejected under 35 U.S.C. § 102. Applicant respectfully traverses the rejections of record.

II. The 35 U.S.C. § 102 Rejections

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Quistgaard et al., United States patent application publication number 2003/0009102 (hereinafter *Quistgaard*). Claim 3 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Knell et al., United States patent number 6,312,381 (hereinafter *Knell*).

In rejecting claims 1 and 2, the Examiner correctly notes that the inventors of the present claims are also listed as inventors in *Quistgaard* and that the 35 U.S.C. § 102(e) rejection of record may be overcome by a showing that the present invention, to the extent disclosed in *Quistgaard*, is not an invention “by another.” Attached hereto is a declaration under 37 C.F.R. § 1.132 providing evidence that the present invention as disclosed in *Quistgaard* is not an invention by another. As the disclosure relied upon in *Quistgaard* in rejecting the present claims is attributable exclusively to the inventors in the present application, *Quistgaard* does not present a bar to patentability under 35 U.S.C. § 102(e).

In rejecting claim 3, the Examiner asserts that *Knell* discloses various subsystems, wherein each subsystem is typically implemented with an ASIC. However, claim 3 recites a single US-ASIC “having at least one beam former, a transducer controller, one or more digital signal processor(s), and a plurality of input/output channels for linking to at least one memory means, a power control system, a transducer and a user interface.” Whether or not the various subsystems of *Knell* may be each implemented with an ASIC is not dispositive with respect to the patentability of the present claim. Applicant can find no disclosure with

respect to a single ASIC having all the aspects as set forth in claim 3. Accordingly, claim 3 is allowable under 35 U.S.C. § 102 over *Knell*.

III. The New Claims

New claims 4-15 have been added by the present amendment. The specification as filed provides support for these new claims, *inter alia*, at paragraphs 0005, 0015, and 0023. Accordingly claims 4-15 do not present new matter.

The new claims are asserted to be patentable at least for the reasons set forth above with respect to independent claims 1-3 from which they depend. Additionally, it is respectfully asserted that these new dependent claims recite additional new and non-obvious limitations not shown in the prior art.

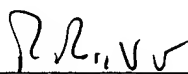
IV. Summary

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 65744/P011C1/10313161 from which the undersigned is authorized to draw.

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Respectfully submitted,

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